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Pat. Amended-B
9/6/03

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ATTORNEY DOCKET NUMBER: P0738/7001/ERP/KA
Express Mail Label No.: EL844633621US
Date of Deposit: August 21, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Richard T. Lee, et al.
Serial No. Not Yet Assigned
Filed: August 21, 2000
For: DIAGNOSIS AND TREATMENT OF CARDIOVASCULAR
CONDITIONS
Examiner: Not Yet Assigned
Art Unit: Not Yet Assigned

BOX PATENT APPLICATION
COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Sir:

PRELIMINARY AMENDMENT

Before calculating the fees, please amend the above-identified application as follows:

In the claims:

Please cancel claims 5-7, 13-14, 16, 18-19, 21-30, 33-38, 40-43, 45-47, 49, 51, 53, 58-62, 64-67, 69-70, and 73-78.

Please amend claims 8, 12, 15 and 17 as follows:

8. (Amended) An expression vector comprising the isolated nucleic acid molecule of claim 1, operably linked to a promoter.

12. (Amended) An isolated polypeptide encoded by a nucleic acid molecule of claim 1, wherein the polypeptide, or fragment of the polypeptide, has cardiac cell anti-apoptotic activity.

15. (Amended) An isolated polypeptide encoded by a nucleic acid molecule of claim 1, wherein the polypeptide, or fragment of the polypeptide, is immunogenic.

17. (Amended) An isolated binding polypeptide which binds selectively a polypeptide encoded by an isolated nucleic acid molecule of claim 1.

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Serial No. Not Yet Assigned File No. P0738/7001 by: ERP/KA/eqs
 Title: Diagnosis and Treatment of Cardiovascular Conditions
 Application of: Richard T Lee, et al WGS Date: _____

The U.S. PTO Mail Room acknowledges receipt of the following on the date stamped hereon:

<input checked="" type="checkbox"/> Mailing by Express Mail (37 CFR 1.10) Express Mail Label No. <u>ELV4555521 US</u> <input checked="" type="checkbox"/> Patent Application <input checked="" type="checkbox"/> Non-provisional <input type="checkbox"/> Provisional Incl. <u>86</u> pages, (<u>85</u> pgs) Specification (<u>1</u> pgs) Abstract, (<u>11</u> pgs) Claims (<u>18</u> # claims) <input type="checkbox"/> Design Patent Application <input type="checkbox"/> Declaration(s) <input checked="" type="checkbox"/> Drawings <u>2</u> Sheet(s) (FIGS. <u>1</u>) <input checked="" type="checkbox"/> Formal <input type="checkbox"/> Informal <input checked="" type="checkbox"/> Utility Patent Application Transmittal Fee calculation sheet (x2) CPA Transmittal Verified Statement claiming small entity status Assignment and Cover Sheet	<input type="checkbox"/> Provisional Application Cover Sheet <input type="checkbox"/> Multiple Dependent Claim Fee Sheet <input type="checkbox"/> Inf. Disc. Statement, PTO Form 1449 <input type="checkbox"/> References Cited <input type="checkbox"/> Priority Document(s) # _____ <input checked="" type="checkbox"/> Copy of Notice to File Missing Parts <input checked="" type="checkbox"/> Amendment/Response <u>Preliminary</u> <input type="checkbox"/> Petition for Ext. of Time (x2) <input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Letter to Official Draftsperson <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Brief (x3) <input type="checkbox"/> Check for \$ _____ Check # _____ <input checked="" type="checkbox"/> Transmittal Letter (x2) <input checked="" type="checkbox"/> Cert. of Mailing under 37 CFR 1.8(a)
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☒ Other Sequence listing
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Wolf, Greenfield & Sacks, P.C.

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Wolf, Greenfield & Sacks, P.C.
Legal Services Dept.



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F A X C O V E R

*****OFFICIAL FAX*****

Date: March 5, 2003 **Number of pages** (including cover): 8
To: Examiner Zachariah Lucas, U.S. Patent and Trademark Office
Fax No.: 703-746-8480
Serial No.: 09/934,249
Title: DIAGNOSIS AND TREATMENT OF CARDIOVASCULAR CONDITION
From: Janice A. Vatland, Ph.D.
Direct dial: 617.573.7861
Our File #: P00738.70001.US

CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being transmitted via facsimile to the attention of Examiner Zachariah Lucas, FAX number 703-746-8480, at the United States Patent and Trademark Office, Washington, D.C. 20231, in accordance with 37 C.F.R. §1.6(d), on the 5th day of March, 2003.


Janice A. Vatland, Reg. No. 52,318

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MESSAGE: Transmitted herewith are Letter to Examiner and copies of the Preliminary Amendment and return receipt postcard.

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DOCKET NO: P00738.70001.US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Richard T. Lee, et al.
Serial No: 09/934,249
Confirmation No: 6506
Filed: August 21, 2001
For: DIAGNOSIS AND TREATMENT OF
CARDIOVASCULAR CONDITIONS
Examiner: Lucas, Zachariah
Art Unit: 1648

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CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being transmitted via facsimile to the attention of Examiner Zachariah Lucas, FAX number 703-746-8480, at the United States Patent and Trademark Office, Washington, D.C. 20231, in accordance with 37 C.F.R. §1.6(d), on the 5th day of March, 2003.


Janice A. Vatland, Reg. No. 52,318

Fax Number 703-746-8480
Commissioner for Patents
Washington, D.C. 20231

LETTER TO THE EXAMINER

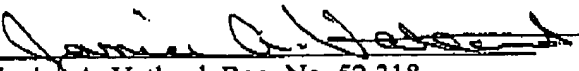
Sir:

Thank you for drawing to our attention that the preliminary amendment sent by us to the USPTO on August 21, 2001 was not recorded as being received.

We are now providing copies to you of the preliminary amendment and the return receipt postcard indicating the preliminary amendment was received on August 21, 2001.

Please feel free to contact us with any questions. Thank you again.

Respectfully submitted,
Richard T. Lee, et al., *Applicants*

By: 
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Docket No. P00738.70001.US
Date: March 5, 2003
XNDDX